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SUBJECT: SRI LANKA AT THE HUMAN RIGHTS COUNCIL: MORE CRITICISM OF HIGH COMMISSIONER ARBOUR

REF: A. A) GENEVA 55
[¶](#)B. B) GENEVA 89

Classified By: Ambassador Warren W. Tichenor. Reasons: 1.4 (b/d).

[¶](#)1. (C) SUMMARY: Rajiva Wijesinha, General Secretary of Sri Lanka's Secretariat for Coordinating the Peace Process, held meetings in Geneva on February 1 as part of continuing GoSL efforts to sway thinking here on Sri Lanka's human rights situation. Meeting with Ambassador Tichenor, Wijesinha criticized High Commissioner for Human Rights Louise Arbour's recent statement on Sri Lanka and showed no flexibility on Arbour's effort to establish an international monitoring mission there, while floating the idea that the U.S. could weigh in with Arbour to be more flexible toward Colombo. Although substantively similar, Wijesinha took a more measured tone than that of Sri Lanka's ambassador, whose rhetorical attacks on Arbour and OHCHR lately have only weakened Sri Lanka's efforts to boost its image, at least in many Western delegations. END SUMMARY.

[¶](#)2. (SBU) The Sri Lankan government has long been pursuing a vigorous public relations campaign in an effort to forestall Human Rights Council action -- possibly a special session or part of the Council's March regular session -- on Sri Lanka (ref A). In its latest attempt, it deployed Wijesinha to Geneva, where he met on February 1 with several ambassadors as well as with International Labor Organization Director General Juan Somavia.

MEETING WITH THE AMBASSADOR

[¶](#)3. (SBU) Although Wijesinha began his meeting with Ambassador Tichenor by saying it was aimed at explaining the termination of Sri Lanka's cease-fire, the discussion quickly turned to High Commissioner Arbour. Wijesinha criticized Arbour for having issued a January 15 statement reiterating the need for both the Government and Tamil Tigers to respect international law. In his view, the statement wrongly equated the two sides, thus lending implicit support to the latter.

[¶](#)4. (SBU) Ambassador Tichenor underscored the long history of U.S.-Sri Lankan ties and condemned Tamil Tiger terrorist attacks but underscored our growing concerns with the human rights situation in the country. He urged the GoSL to reconsider its position on an independent presence of the Office of the High Commissioner for Human Rights (OHCHR) in Sri Lanka, as Arbour has been seeking since her October visit to the country.

[¶](#)5. (SBU) Wijesinha said that Arbour's October visit to Sri Lanka had been good, although the way she had handled it had allowed the political opposition, as well as the LTTE, to use

it to political advantage. Her posture since then, leading up to the January 15 statement, had been unhelpful, and she was wrongly refusing to work with Sri Lanka's Human Rights Commission. Arbour's position toward that body disregarded a 2007 UNDP report that, while acknowledging its problems, did not condemn it and assessed that it could be improved. Wijesinha also argued that the 2007 decision by OHCHR's International Coordination Committee to demote the national human rights organization was based on false information.

¶6. (SBU) Particularly given Arbour's questionable judgment, which ended up strengthening the Tamil Tigers' cause, Sri Lanka would continue to reject her calls for an independent human rights monitoring role, Wijesinha continued. OHCHR already had a staff member on the ground, who played an important role by virtue of being a member of the UN human rights team. The incumbent OHCHR staffer was particularly good, Wijesinha said. (Note: This was a swipe at Rory Mungoven, the previous OHCHR staffer in Sri Lanka, who now heads OHCHR's Asia-Pacific team. Sri Lanka's ambassador had made a similar point in a briefing to the Council last week on OHCHR's future activities - ref B.)

¶7. (SBU) Wijesinha also complained that Arbour had been intractable during a January 11 meeting with Sri Lanka's Human Rights Minister, Mahinda Samarasinghe. Although Samarasinghe had sought to find common ground, including offering a non-paper on possible steps forward to resolve the dispute over an independent OHCHR monitoring presence, Arbour had shown no interest. Sri Lanka could not accept an independent presence but was willing to expand its work with OHCHR, notably on technical assistance, Wijesinha said, adding that Arbour had also refused to acknowledged publicly that she had engaged in a dialogue with Samarasinghe. Wijesinha raised the possibility to the Ambassador that the

U.S. might intervene with Arbour to be more flexible.

COUNCIL ACTION ON SRI LANKA: NO DECISIONS

¶8. (C) We have heard no further word on possible Council action on Sri Lanka, and our UK colleagues told us February 4 that there is little likelihood that the EU will call for a special session in the foreseeable future. Sri Lankan diplomats have noted that their human rights record will be reviewed in May under the Universal Periodic Review, implicitly suggesting that this obviates any other action for the moment. According to a press release issued by the Sri Lankan Mission following Wijesinha's visit, he discussed the UPR issue in his meeting with Council President Doru Costea. (The press release, which offered the Sri Lankan version of what transpired at each meeting, was issued without the notification or approval of the Missions involved -- including ours -- and this raised some ill feelings among several of his interlocutors.)

COMMENT

¶9. (C) Wijesinha was critical of Arbour but did so in measured terms. This stands in contrast to some of the more aggressive statements we have heard from Sri Lanka's mission here toward the High Commission, including the withering criticism leveled at Arbour's presentation last week of her Strategic Management Plan (ref B). Whether or not this resonates with some NAM countries, it has certainly soured Sri Lanka's image among many Western delegations.

TICHENOR